

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S. RAO

WRIT PETITION NO: 14329 OF 1996

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Between:

1. Doniparthi Madanamohana, S/o.D.Nageswara Rao,

r/o.Gummaladibba, Kovvuru, Nellore District.

2. B.Rajesh, S/o.K.Bala Subrahmanyam,

r/o.15/524, RR Street, Trunk Road, Nellore.

3. Mahita Yaratapalli, D/o.Y.V.Gopal Reddy,

Inamadugu, Kovvuru, Nellore.

(All are minors, being represented by their teacher,

P.Krishna Murthy, S/o.P.Subrahmanyam,

R/o.16-2961, Jawaharlal Road, Nellore-3).

..... PETITIONERS

AND

1. The Secretary, Board of Secondary Education,

Gunfoundry, Hyderabad.

2. Secretary to the Commissioner for Government

Examinations, A.P., Hyderabad.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents to recount the answer sheets of the petitioners in Mathematics, General Science and Hindi papers in S.S.C. examination held in the month of March, 1996 with Hall Ticket Nos.0306333, 0965477 and 0305214 in the presence of the advocate commissioner and if necessary direct revaluation of said papers.

Counsel for Petitioners: MRS. A.CHAYA DEVI

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following ORDER:

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The petitioners completed X Class (Secondary School Certificate Course) during the academic year 1995-1996. They appeared for S.S.C examinations in March, 1996 from Zilla Praja Parishad High School, Yellayapalem, P.M.R.M.P.L. High School, Inamadnagar of Nellore District respectively. The petitioners were declared as 'failed' in the results. Therefore, they sought for recounting. When it was not done, they filed the writ petition seeking a direction to the respondents to fix an early date for recounting their answer scripts.

This Court, while admitting the writ petition on 22-07-1996, passed interim orders directing the respondents to complete the process of the recounting of the marks of the petitioners on or before 31-07-1996.

In the counter-affidavit filed by the Additional Joint Secretary of the first respondent, it is stated that the answer scripts were called from the respective valuation centres, that the recounting of marks was done in the presence of the Officers concerned and it was found that there was no mistake in recounting of marks and there was no change of marks. It is also stated that by Memo No.177/D17-5/96, dated 30-07-1996, the first respondent also informed the petitioner that there is no change of the marks after recounting.

The counter-affidavit was filed way back on 30-08-1996 and the petitioners have not filed any reply-affidavit denying the counter averments. Therefore, this Court is of the considered opinion that nothing survives in the writ petition and the petitioners' grievance has been adequately redressed.

The writ petition is, therefore, dismissed. No costs.

V.V.S. RAO, J

November 10, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Board of Secondary Education,
Gunfoundry, Hyderabad.
2. Secretary to the Commissioner for Government
Examinations, A.P., Hyderabad.
3. Two CCs to the Government Pleader for School Education,
High Court Buildings, Hyderabad (O.U.T).
4. Two CD copies.